North Central Regional Transit District
Board Meeting
Friday, December 7, 2012

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Commissioner Daniel Barrone, Chair, at 9:10 a.m. at the Jim West Transit Center, 1327 Riverside Drive, Española, New Mexico.

1. **Pledge of Allegiance**

2. **Moment of Silence**

3. **Roll Call**

Roll call indicated the presence of a quorum as follows:

Members Present:	**Elected Members**	**Alternate Designees**
Los Alamos County	*Councilor Geoff Rodgers*	
Rio Arriba County		*Mr. Tomás Campos* [later]
Taos County	*Commissioner Daniel Barrone*	
Santa Fé County	*Commissioner Kathy Holian*	
Pojoaque Pueblo		*Mr. Tim Vigil*
Ohkay Owingeh		
San Ildefonso Pueblo		
Santa Clara Pueblo		*Ms. Mary Lou Valerio*
Tesuque Pueblo	*Gov. Charles Dorame* [later]	
City of Santa Fé		*Mr. Jon Bulthuis*

City of Española		
Town of Edgewood	*Councilor Chuck Ring*	
Rio Metro (ex officio)		

Staff Members Present
Mr. Anthony J. Mortillaro, Executive Director
Ms. Barbara Mascareñas, Executive Assistant
Mr. Mike Kelly, Transit Operations Manager
Ms. Glenda Aragon, Financial Manager
Mr. Jim Nagle, Public Information Officer

Others Present
Mr. Mark Basham, Legal Counsel
Mr. Erick Aune, Santa Fé County
Mr. Carl Boaz, Stenographer

4. INTRODUCTIONS

Those present introduced themselves to the body.

5. APPROVAL OF AGENDA

Commissioner Holian moved to approve the Agenda as presented. Mr. Vigil seconded the motion and it passed by unanimous voice vote. Mr. Campos and Governor Dorame were not present for the vote.

6. APPROVAL OF MINUTES

- **Minutes of Regular Meeting on November 2, 2012**

Commissioner Holian moved to approve the minutes of November 2, 2012 as presented. Councilor Ring seconded the motion and it passed by unanimous voice vote. Mr. Campos and Governor Dorame were not present for the vote.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

Mr. Mortillaro formally introduced Ms. Glenda Aragon and asked her to share her background and experience which she did. She was originally from Taos; had 13 years' experience in accounting and worked for Taos County Convention and Visitors' Bureau, a couple of nonprofits in Albuquerque and a couple of CPA firms. This would give her the chance to move back to Taos.

Councilor Ring noted that today is Pearl Harbor Day and we are losing World War Two veterans at a rapid rate.

ACTION ITEMS FOR APPROVAL/DISCUSSION

A. Discussion regarding authorization for Executive Director to enter into a Legal Services Contract

Mr. Mortillaro said since 2007 the District has had contracted legal counsel with Basham and Basham. It was a one year contract, renewable for five years and will expire on December 31, 2012. As a result, staff went out to seek proposals with publication of a legal notice throughout the district and mailed announcements to law firms in the area. Out of that effort, Basham and Basham was the only firm who submitted a proposal. A review committee was ready to review but since they had only one proposal it was not necessary to meet.

Because the total contract amount over four years would exceed his ability to approve it required Board authorization for him to sign it. The proposed term is two years plus two one-year extensions.

The proposed price is up slightly. The first contract was $150 per hour since 2007 and the proposed rate is $165 per hour. However, the paralegal cost decreased by $15 per hour.

Governor Dorame arrived at this time.

Councilor Ring asked how much percentage of the work the paralegal did.

Mr. Basham said it was about 15% of the work.

Mr. Bulthuis moved to authorize the Executive Director to sign the contract as proposed with Basham and Basham. Commissioner Holian seconded the motion and it passed by unanimous roll call vote with City of Edgewood, Los Alamos County, Pojoaque Pueblo, Santa Clara Pueblo, City of Santa Fé, Santa Fé County, Taos County and Tesuque Pueblo voting in favor, none voting against. Rio Arriba County was not present for the vote.

Mr. Campos arrived just after the vote.

B. Review and Adoption of Resolution No. 2012-26 establishing the NCRTD's 2013 Legislative

Agenda

Mr. Mortillaro clarified that the District uses Mr. Scott Scanlan for legislative affairs. He works for the NCRTD on a year-round basis to keep the political pulse for the District. He asked Mr. Scanlan for alegislatively update and particularly about state priorities for the upcoming 60 day session.

Mr. Scanlan said at Mr. Mortillaro's direction just after last legislature session he and Mr. Mortillaro set out to touch base with every legislator in the four-county area. They met with them to re-acquaint them with the work of the District from the past and to create new relationships. So they drove throughout the area and met with all the members. They only one they delayed was the contested race and took care that one last Saturday. All were positive meetings. Mostly the feedback was very positive with only a couple of questions. He shared the route schedule for each county so every member was comfortable with it. They all knew about the District and appreciated getting more information.

They also went through three items on the agenda for the Board's consideration. The good news is LFC has been meeting this week and on Monday came out with newest revised estimates for capital outlay. Press report estimates are all over the page from $283 million to $500 million. Some included mandatory Native American projects. But they would have about $200-$250 million for capital outlay.

Two projects he was promoting were the back parking lot paving that fits into the small project category. The second is replacement of buses at a bigger price tag and the feds would match what is generated locally. The delegation members all gave the District approval for making the full requests. So he was now writing up the forms and getting signatures.

Regarding substantive legislation - a bill passed 5 years ago on the way you receive your money. Right now GRT goes to County and then to District. A bill passed several years ago overwhelmingly but was pocket vetoed by then Governor Richardson. So we are trying it again this year to remove the county pass through. We are pitching it as easing the bureaucracy. Mr. Mortillaro and I went to Tax Interim Committee two weeks ago and Rep Jim Trujillo/ Santa Fé and Sen. Carlos Cisneros-Taos - will carry the bill. That's it for the agenda.

The Session begins on January 15 at noon and will be a 60 day session. One-third of legislature is brand new - close to 30 new members. So the first part of the session will be just introducing to each other after a nasty campaign season. The Bill Cutoff Date is February 14. So by then we will know what is out there that might affect the District. He will report back at that time. And then after the session a post mortem that he hoped would be positive. The Governor then had 30 days to sign or veto bills. So the absolute finish would be about April 15. The Senate will caucus this weekend and the House next weekend.

Mr. Mortillaro touched on the federal agenda from page 34 of the packet. It was very similar to the state. The District wanted to ensure funding through MAP 21 at least level or with an increase.

Staff worked with the congressional representatives and will make one visit to Washington DC to meet with them and attend the National Transportation Conference. That will be in March and most of that was for protecting resources for public transportation. This sets our direction in terms of those issues that might

come up during the session and how we would respond if they do.

Commissioner Holian moved to approve Resolution 2012-26. Councilor Ring seconded the motion.

Mr. Bulthuis said in the last bullet under federal they should add to the partnership after American Transportation Association, the New Mexico Passenger Association. Mr. Mortillaro is a member and the Association would like to partner with the District for legislation. Mr. Mortillaro agreed to it.

Commissioner Holian and Councilor Ring agreed to the amendment as friendly and the motion passed by unanimous roll call vote with City of Edgewood, Los Alamos County, Pueblo of Pojoaque, Rio Arriba County, Pueblo of Santa Clara, City of Santa Fé, Santa Fé County, Taos County and Pueblo of Tesuque voting in favor and none against.

C. Review and Adoption of Resolution No. 2012-27 Open Meetings Act for 2013

Ms. Mascareñas referred to the resolution in the packet which showed the meeting dates selected and the policy covering all board meetings and on page 37 the schedule for 2013. July 12 was moved from July 5th because of the holiday.

Councilor Rodgers moved to adopt Resolution 2012-27, Commissioner Holian seconded the motion which passed by unanimous roll call vote with City of Edgewood, Los Alamos County, Pueblo of Pojoaque, Rio Arriba County, Santa Clara Pueblo, City of Santa Fé, Santa Fé County, Taos County, and Tesuque Pueblo voting in favor and none against.

D. Review and Adoption of Resolution No. 2012-28 Adopting Inventory/Fixed Asset Policy

Mr. Mortillaro said Ms. Aragon put together the document and took it to the Finance Subcommittee.

Ms. Aragon said she established this policy for accounting of fixed assets. The District was following regulations and standards but those were not formally adopted. So she then pulled the policy from other entities and followed state and federal guidelines.

She added that Councilor Rodgers offered some help on page 44 regarding lost or stolen property for the agency. It indicates in excess of $300 but they could contact police for less value if desired.

The policy covered appreciation including rolling stock and had a sensitivity list.

Mr. Mortillaro clarified that they were going to go from using Excel to the MIP software that had an asset module.

Mr. Basham said the policy was legal and proper.

Mr. Vigil thanked the members of the subcommittee and Ms. Aragon did a great presentation to them.

Councilor Rodgers moved to adopt Resolution 2012-28 Commissioner Holian seconded the motion which passed by unanimous roll call vote with City of Edgewood, Los Alamos County, Pueblo of Pojoaque, Rio Arriba County, Santa Clara Pueblo, City of Santa Fé, Santa Fé County, Taos County, and Tesuque Pueblo voting in favor and none against.

E. Review and Adoption of Resolution No. 2012-29 Creating General Policy and Priorities for Use of the Jim West Regional Transit Center

Mr. Mortillaro said this resolution outlined a general set of priorities for use of this facility. As a very nice facility and as a corporate citizen of Española he wanted to make it available for other public entities. Mr. Kelly prepared this policy.

Mr. Kelly said the RTD use would be the main priority, then member agencies for meetings, other public service entities, Tribal agencies, and state agencies. Any special events deemed to be as incidental use would be approved by Mr. Mortillaro. They would want to recoup operating costs for staff, utilities and security when not during normal business hours and wanted to limit use of the facility rather than be wide open to any entity that wanted to use it. If approved, they would prepare the procedures. The policy excluded campaign purposes.

Councilor Ring offered a typo correction under C from maybe to may be.

Commissioner Holian asked if allowing a member entity use would have any impact on our insurance.

Mr. Kelly said the District had a healthy umbrella that covered them quite well.

Mr. Basham wanted to see the insurance policy and said he felt that was a legitimate question.

Chair Barrone wondered if this facility would be able to be used as EVAC in case of disaster.

Mr. Kelly said he looked into that. Obviously the RTD would still need to operate so the size of the need would have to be assessed.

Chair Barrone mentioned the Los Alamos fire and commented on present forest conditions.

Ms. Valério asked how the fees would be calculated.

Mr. Mortillaro explained that the only times fees would be charged would be for an evening event where they needed to have staff available for closing and clean up. It would just be for the staff time costs but no mark up for overhead. That would be in the procedures to be developed.

Mr. Kelly added that AV equipment set up might be an added cost.

Mr. Vigil asked if unused areas could be blocked off.

Mr. Kelly agreed. In the building design doors could be locked so the front lobby, the board room and restrooms could be separated from all other parts of the building for evening or after hours use.

Councilor Rodgers moved to table the Resolution pending resolution of the insurance questions. Commissioner Holian seconded the motion which passed by unanimous roll call vote with City of Edgewood, Los Alamos County, Pueblo of Pojoaque, Rio Arriba County, Santa Clara Pueblo, City of Santa Fé, Santa Fé County, Taos County, and Tesuque Pueblo voting in favor and none against.

The Board took a brief break at 10:00 and reconvened at 10:10 a.m.

DISCUSSION ITEMS:

A. Financial Report for November 2012

Ms. Aragon presented the Financial Report as of November 30, 2012 for 5 months of activity or 42% of the year. November's list didn't reflect all expenses but they would continue to process invoices.

She referred to the financial information contained in the packet and pointed out they were up about 4.9% on cash flows and explained the lag in receiving GRT monies.

Ms. Aragon said they sent a letter to FTA regarding the audit findings and they have not yet responded. DOT was doing an audit presently and it was about 90% complete. Field work for the compliance audit has been done and the auditors have forwarded their report to the State Auditor on time.

Once they received the report back she would present it to the Board, probably in January.

At bottom of the page I she indicated the reports were from an unaudited financial statement so this was for purposes of review and reference. Once she applied the journal entries from the auditor's findings some of it might roll over into the 2013 financials. She wanted to work more on the general ledger to make sure they were all reconciled, true and accurate.

Chair Barrone applauded staff on fuel use. It was a big accomplishment to keep within budget.

B. Finance Subcommittee Report

Mr. Vigil reported the meeting was November 27. The FY 2012 audit report was presented by Hinkle and Landers. The discussed petty cash, travel polices and heard from the property disposal committee.

Mr. Mortillaro said their report in January would be on performance measures. Staff had developed metrics on how well RTD was doing in a variety of categories and included benchmarks where they could.

They were now at a document that hopefully could provide reports on performance.

Everything that went through the Finance Subcommittee has come to the Board. Paring down the membership of the Finance Subcommittee has worked very well and makes for good working process at meetings. He thanked them for their diligence.

C. Tribal Subcommittee Report

Ms. Valério said there was nothing to report since they had not met. Their next meeting would be schedule for next week but might cancel for lack of business to consider. They would meet next in March.

D. Executive Report for December 2012 and Comments from the Executive Director

Mr. Mortillaro announced the Property Disposal Committee would meet right after this meeting. The members are Mr. Campos, Councilor Rodgers and Mr. Bulthuis.

He reminded everyone that he needed their signed intergovernmental contracts back. They are for two changes: the added vote for Española and the addition of Edgewood. Hopefully they could break the record of 6 months for completing signatures this time. Mr. Campos handed the Rio Arriba signed contract to Mr. Mortillaro.

Mr. Mortillaro said they were looking at a NM599 route and would meet with Santa Fé County to see if it could be restructured to access needed areas without a cost increase. He would bring the outcome to the Board.

He met with Taos County Commissioner Sanchez and Chairman Dan Barrone and they were inquring about a stop at San Cristobal on the Questa to Taos route. They needed to determine if they had sufficient ROW for a safe stop. DOT thought they did. He would continue the review of Las Trampas route with recommendations in January to the Board. He would finish the follow up with the Rio Arriba County Commission on the Velarde-Alcalde route.

MATTERS FROM THE CHAIR

Chair Barrone wished everyone a happy holiday and hopefully after the New Year hope they would see everyone still appointed to the Board. He applauded Mr. Mortillaro and staff for working forward.

MATTERS FROM THE BOARD

There were no matters from the Board.

MISCELLANEOUS

There were no miscellaneous items.

ADJOURN - Next Board Meeting - January 4, 2013 at 9:00 a.m.

Councilor Ring moved to adjourn the meeting. Chair Barrone seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 10:30 a.m.

Approved by:

Daniel R. Barrone, Chair

Attest:

Geoffrey Rodgers, Secretary

Submitted by:

Carl Boaz, Stenographer